Docket No.: 2091-0309P

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Kazuo SHIOTA et al.

Application No.: 10/765,963 Confirmation No.: 2340

Filed: January 29, 2004 Art Unit: 2624

For: APPARATUS AND PROGRAM FOR

SELECTING PHOTOGRAPHIC IMAGES

Examiner: D. Rashid

AMENDMENT AFTER FINAL ACTION UNDER 37 C.F.R. 1.116

MS AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Madam:

INTRODUCTORY COMMENTS

In response to the Office Action dated February 3, 2009, finally rejecting claims 1-2, 5, 9, 11-16 and 18-21, please amend the above-identified U.S. patent application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 7 of this paper.